UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document # 30

William E. Murawski

USCA NO. ____________

-v-

SDNY NO. 06cv12965
JUDGE: RJH
DATE: 2 /23 / 2007

New York State Board of Elections et al

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME) Nezam Dulal
FIRM APPEALS SECTION
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY
500 PEARL STREET, NEW YORK, NEW YORK 10007
PHONE NO. (212) 805-0636

DISTRICT COURT DOCKET ENTRIES --

DOCUMENTS DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(√) Original Record ( ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A for the Second Circuit on the 23rd Day of February, 2007.

APPEAL, CASREF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:06-cv-12965-RJH-RLE
Internal Use Only

Murawski v. New York State Board of Elections et al
Assigned to: Judge Richard J. Holwell
Referred to: Magistrate Judge Ronald L. Ellis
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 11/06/2006
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Date Filed	#	Docket Text
11/06/2006	1	COMPLAINT against New York State Board of Elections, New York City Board of Elections. (Filing Fee $ 350.00, Receipt Number 596183)Document filed by William E. Murawski.(laq,) (Entered: 11/07/2006)
11/06/2006		SUMMONS ISSUED as to New York State Board of Elections, New York City Board of Elections. (laq,) (Entered: 11/07/2006)
11/06/2006		Magistrate Judge Andrew J. Peck is so designated. (laq,) (Entered: 11/07/2006)
11/07/2006	29	NOTICE OF INTERLOCUTORY APPEAL from [26] Order to Show Cause. Copies mailed to the attorneys of record: Attorney Generals office for the State of New York, Corporation Counsel, Michael a. Cheah and William Alfred Escobar. Document filed by William E. Murawski. (dt) (Entered: 02/21/2007)
11/07/2006		Appeal Remark as to [29] Notice of Interlocutory Appeal, filed by William E. Murawski. I.F.P. DENIED 1/11/07. $455.00 APPEAL FILING FEE DUE. (dt) (Entered: 02/21/2007)
11/21/2006		MEMORANDUM TO THE DOCKET CLERK: Amended Summons issued by the Pro Se Office on 11/21/06. (cd,) (Entered: 11/22/2006)
11/21/2006	2	AMENDED COMPLAINT amending [1] Complaint against Michael Bloomberg, Rudolf Giuliani, IAC/Interactive Corp., George Pataki, Eliot Spitzer, New York State Board of Elections, New York City Board of Elections. Related document: [1] Complaint filed by William E. Murawski,.(cd,) (Entered: 11/22/2006)
11/22/2006	3	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by William E. Murawski.(pl,) (Entered: 12/14/2006)
12/20/2006	4	ORDER; pursuant to defendant Ronald M. Gunzburger's letter request of 12/7/ 2006, the Court grants him leave to file a motion to dismiss in lieu of an answer. (Signed by Judge Richard J. Holwell on 12/19/06) (kco,) (Entered: 12/20/2006)
12/21/2006	5	ENDORSED LETTER addressed to Judge Richard J. Holwell from Chlarens Orsland dated 12/8/06 re: a request for an extension of time to respond to the complaint to 1/9/2007 on behalf of the City defendants and defendant Yahoo! Inc. ENDORSEMENT: Extension granted. Answer due from City defendants on 1/9/2007. (Signed by Judge Richard J. Holwell on 12/19/06) (kco,) (Entered: 12/21/2006)
12/21/2006		Set Answer Due Date purs. to [5] Endorsed Letter, as to New York State Board of

		Elections answer due on 1/9/2007; New York City Board of Elections answer due on 1/9/2007. (kco,) (Entered: 12/21/2006)
12/22/2006	6	ENDORSED LETTER addressed to Judge Holwell from Alison MacGregor dated 12/21/06 re request to extend time to respond to the Amended Complaint to 1/9/07: applicationg ranted. time to answer extended to 1/9/07. (Signed by Judge Richard J. Holwell on 12/22/06) (cd,) (Entered: 12/22/2006)
12/22/2006		Set Answer Due Date purs. to [6] Endorsed Letter, as to Yahoo!, Inc. answer due on 1/9/2007. (cd,) (Entered: 12/22/2006)
12/26/2006	7	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General pretrial (includes schceduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Andrew J. Peck. (Signed by Judge Richard J. Holwell on 12/19/06) (djc,) (Entered: 12/26/2006)
12/27/2006	8	MOTION to Dismiss. Document filed by Ronald M. Gunzberger. (jco,) (Entered: 12/29/2006)
12/27/2006	9	NOTICE of compliance with local civil rule 12.1 and local civil rule 56.2. Document filed by Ronald M. Gunzberger. (jco,) (Entered: 12/29/2006)
01/04/2007	10	ENDORSED LETTER addressed to Judge Richard J. Holwell from Chlarens Orsland dated 12/26/2006 re: defendant is requesting permission to file a motion to the dismiss the complaint. ENDORSEMENT: Application Granted. Defendants' motions to dismiss due on 1/9/2007. Plaintiff to respond by 2/9/2007. Reply papers due on 2/23/2007. So Ordered. (Signed by Judge Richard J. Holwell on 12/28/2007) (lb,) (Entered: 01/05/2007)
01/04/2007		Set/Reset Deadlines: Motions due by 1/9/2007. Replies due by 2/23/2007. Responses due by 2/9/2007. (lb,) (Entered: 01/05/2007)
01/05/2007	11	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by IAC/Interactive Corp. (Cheah, Michael) Modified on 1/8/2007 (kg). (Entered: 01/05/2007)
01/05/2007	12	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION to Dismiss Pursuant to Rule 12(b)(6). Document filed by IAC/Interactive Corp.. Responses due by 1/22/2007 Return Date set for 1/29/2007 10:00 AM. (Cheah, Michael) Modified on 1/8/2007 (kg). (Entered: 01/05/2007)
01/06/2007	13	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION to Dismiss. Document filed by New York State Board of Elections. Responses due by 2/2/2007 (Murray, Patricia) Modified on 1/8/2007 (kg). (Entered: 01/06/2007)
01/08/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Michael A. Cheah to MANUALLY RE-FILE Document Rule 7.1 Statement, Document No. 11. This case is not ECF. (kg) (Entered: 01/08/2007)
01/08/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Michael A. Cheah to MANUALLY RE-FILE Document Motion to dismiss, Document No. 12. This case is not ECF. (kg) (Entered: 01/08/2007)
01/08/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Patricia Lynn Murray to MANUALLY RE-FILE Document Motion

		for Summary Judgment, Document No. 13. This case is not ECF. (kg) (Entered: 01/08/2007)
01/08/2007	14	ENDORSED LETTER addressed to Judge Holwell from Ronald Gunzburger dated 1/3/07 re request by Pro Se deft to participate in all conferences: for any conference in this case before me, Mr. Gunzburger may appear telephonically (by calling (212) 805-0036 at the time of the conference). As of now no such conferences have been scheduled. (Signed by Judge Andrew J. Peck on 1/8/07) (cd,) (Entered: 01/09/2007)
01/08/2007	15	MOTION for Rule 11 Sanctions against plaintiff; and Incorporated Memorandum of Law. Document filed by Ronald M. Gunzberger. (djc,) (Entered: 01/10/2007)
01/09/2007	16	MOTION to Dismiss claims purs to Rule 12(b)(6) of the FRCP against Defendant IAC/InterActive Corp. Attached is Memorandum of Law Document filed by IAC/Interactive Corp.. (djc,) (Entered: 01/10/2007)
01/09/2007	18	MEMORANDUM OF LAW in Support re: [16] MOTION to Dismiss.. Document filed by Yahoo!, Inc.. (djc,) (docmt received in night dep. on 1/9/07 at 6:13 p.m.) (Entered: 01/11/2007)
01/09/2007	19	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Yahoo!, Inc..(djc,) (Entered: 01/11/2007)
01/09/2007	20	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Liberty Media Corporation and Legg Mason, Inc. as Corporate Parent, through certain of its direct or indirect subsidiaries, each own more than 10% of IAC's common stock. Document filed by IAC/Interactive Corp..(djc,) (Entered: 01/11/2007)
01/09/2007	21	MOTION to Dismiss the amended complaint. Document filed by Yahoo!, Inc.. (djc,) (Entered: 01/11/2007)
01/10/2007	17	ANSWER to Amended Complaint. Document filed by George Pataki, Eliot Spitzer. (jmi,) (Entered: 01/11/2007)
01/10/2007	22	MOTION for an order dismissing the complaint against the New YOrk City dfts on the ground that it fails to state a claim upon which relief may be granted. Document filed by Michael Bloomberg, New York City Board of Elections. (dle,) (Entered: 01/11/2007)
01/10/2007	23	MEMORANDUM OF LAW in Support re: [22] MOTION to Dismiss Document filed by Michael Bloomberg, Rudolf Giuliani, New York City Board of Elections. (dle,) (Entered: 01/11/2007)
01/17/2007	24	ORDER that plaintiff's application to appeal in forma pauperis is therefore denied purs to Rule 24 of the Federal Rules of Appellate Procedure. (Signed by Judge Richard J. Holwell on 1/11/07) (cd) (Entered: 01/18/2007)
01/25/2007	25	ORDER the initial pertrial confernce scheduled for January 26, 2007, at 10:30 a.m. is adjourned. Further, discovery in this case is stayed pending resolution of the motions to dismiss pending before the Court. SO ORDERED. (Signed by Judge Richard J. Holwell on 1/24/2007) (jmi) (Entered: 01/26/2007)
01/27/2007	26	(DUPLIICATED ORIGINAL) ORDER TO SHOW CAUSE by William E. Murawski: plntf's request for a TRO and Preliminary Injunction is denied. Plaintiff was aware that his name was not on the ballot no later than 9/6/06. Plntf's unjustified delay in seeking equitable relief is sufficeint in itself to deny the requested relief. A review of his papers further indicates that his claimed right to be on the ballot is lacking in merit. Leaving aside any merit of his other claims, no reason is given why such claims werre not

		asserrted until the eleventh hour. (Signed by Judge Richard J. Holwell on 12/6/06) (cd) (Entered: 02/02/2007)
02/08/2007	27	ORDER by letter dated 1/22/07, plntf requests a restraining order against Ronald M. Gunzburger. The court advises plntf that he may not move for a TRO by letter to the Court. Plntf also rquests additional time to respond to the motions to dismiss and motion for Rule 11 sanctions pending before the Court. The court grants plntf's request. Plntf may have until 3/2/07, to respond to the pending motions. Finally, plntf requests an extesnion of time to serve certain defts. The court advises plntf that under Rule 4(m) of the FRCP, he has 120 days from the filing of the Complaint to serve defts. Because plntf fld the complaint on 11/6/06, he has until 3/6/07 to serve defts. If plntf is unable to serve defts within the time remaining he may at that time request and extension for good cause shown. (Signed by Judge Richard J. Holwell on 2/6/07) (cd) (Entered: 02/09/2007)
02/14/2007	28	NOTICE OF CASE REASSIGNMENT to Judge Ronald L. Ellis. Judge Andrew J. Peck is no longer assigned to the case. (jmi) (Entered: 02/20/2007)
02/14/2007		Mailed notice to the attorney(s) of record. (jmi) (Entered: 02/20/2007)
02/21/2007		Transmission of Notice of Appeal to the District Judge re: [29] Notice of Interlocutory Appeal,. (dt) (Entered: 02/21/2007)
02/21/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [29] Notice of Interlocutory Appeal,. (dt) (Entered: 02/21/2007)

United States District Court for the Southern District of New York

Date: 2 /23 / 2007

U.S.C.A. # __________

U.S.D.C. # 06cv12965

D.C. JUDGE RJH

William E. Murawski

-V-

New York State Board of Elections et al

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 28 , inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed **Document Description**

** BALANCE OF FILE MISSING AT THIS TIME **

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 23rd Day of February In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 231st year.

J. Michael McMahon, Clerk

By [signature]

Deputy Clerk